

## **SANPETE COUNTY COMMISSION MEETING**

**February 7, 2012, 1:00 P.M.**

Sanpete County Courthouse, 160 North Main, Room 101, Manti, Utah

Present are: Commission Chair Claudia Jarrett, Commissioner Spencer Cox, County Attorney Brody Keisel, and County Clerk Sandy Neill. Commissioner Steve Frischknecht is excused. Elias James is present from the media.

Meeting is called to order by Commission Chair Claudia Jarrett.

### **CLAIMS**

Auditor Ilene Roth is present. Motion is made by Commissioner Cox to approve payment of claims #327734 through #327804 and #327805 through 327874. The motion is seconded by Commissioner Jarrett, and the motion passes.

### **KEN BROWN WITH WESTERN COUNTIES ALLIANCE (WCA): PUBLIC LANDS UPDATE**

Ken Brown is present. They are working to re-authorize Secure Rural Schools (SRS) money. The SRS money is a dollar for dollar offset. Public education has been supportive of this program. Payment in Lieu of Taxes (PILT) full funding expires this year. The WCA is working to get full funding re-authorized. The horse burro program needs to be renewed every 2 years, and is up for renewal this year. They are working on getting a county commissioner to sit on the board. Counties continue to work on getting inventory together for 2477 roads. A 2477 bill has been put together, and a sponsor is needed to introduce the bill. Mr. Brown asks Sanpete County to write a letter in support of Elko County's resolution relating to the hearing asking Congress to require the United States Forest Service to abandon all Travel Management Plans that are opposed by affected counties and implement a new planning process that includes counties as partners. The Commission will review the resolution, and if it looks like something they can support, they will. The Commission explains that Sanpete County did not have funds in their budget to support the WCA's efforts this year. The Commission express their appreciation for the work done by Mr. Brown and the WCA. Mr. Brown states the fee structure has changed, and if the County is interested in the future, he can arrange a different fee.

### **DISCUSSION OF INDIANOLA VALLEY FIRE DEPARTMENT SPECIAL ASSESSMENT AREA (IVFDSAA) FEES**

Ilene Roth is present. The IVFDSAA assessment has been paid in full on over 1590 parcels, 622 parcels paid partial payments, and 381 parcels have not been paid on. It's time to send out new notices. The auditor's office need to identify the current owners for each of the 1003 parcels with a balance due. The County is allowed to foreclose on parcels that are in delinquency. The Commission isn't willing to foreclose on properties at this time. Notices will be sent to the property owners using the same language that was used in last year's notice.

### **SARA STAKER: DISCUSSION OF JUDICIARY PROCESS AND SUSPENDED SENTENCES**

Sara Staker is present. Mr Keisel invites Mrs. Staker to meet with him for further discussion on this matter. County Attorney Brody Keisel explains that no criminal case is exactly the same. Also, not everyone that is accused of a crime is guilty. He states that there are times when he doesn't

agree with the decisions of the judges, but they are good men and honest in their approach to law. The Commissioners explain that there is a complete separation of power; the Commission has legislative duties, and they have no control over the decisions of the judiciary. Mr. Keisel explains that all courts use the process of imposing the maximum statutory penalty, and then possibly suspending part of the sentence. If every person who is found guilty of a felony is sent to prison, how many more prisons would we need to build? The judge makes the decision for sentencing, but they are bound by the guidelines and laws that are set. How much would the tax payers be willing to pay to increase the number of law enforcement officers in the County? Ms. Staker asks what she can do to get citizens involved. The Commissioners are committed to public safety as a first priority.

#### **APPROVAL OF LETTER TO BLM AS COMMENT ON SAGE GROUSE SCOPING**

Commissioner Jarrett created a draft letter, and may modify it prior to sending. Motion is made by Commissioner Cox to approve sending a letter as comment on Sage Grouse scoping. The motion is seconded by Commissioner Jarrett, and the motion passes. The Commissioners signature will be placed on the letter digitally when it is complete.

#### **APPROVAL OF PAYMENT TO UTAH STATE LIBRARY DIVISION FOR BOOKMOBILE SERVICES**

Motion is made by Commissioner Cox to approve the payment of \$41,916.00 to Utah State Library Division for Bookmobile Services. The motion is seconded by Commissioner Jarrett, and the motion passes.

#### **REQUEST FOR PUBLIC HEARING TO ADD CLUSTER SUBDIVISIONS TO THE LAND USE ORDINANCE**

Scott Olsen is present. Motion is made by Commissioner Cox to set a public hearing to add cluster subdivisions to the Land Use Ordinance. The motion is seconded by Commissioner Jarrett, and the motion passes.

#### **MATT PALMER: APPROVAL OF STANDARD COOPERATIVE AGREEMENT FOR SANPETE COUNTY EXTENSION**

Matt Palmer is present. Motion is made by Commissioner Cox to approve the Standard Cooperative agreement for Sanpete County Extension. The motion is seconded by Commissioner Jarrett, and the motion passes. Mr. Palmer updates the Commission on activities. They held a workshop on confined feeding operations because the rules of the EPA have changed. They held weed control workshops. The old turkey research center will be used to set up sustainable farms. Mr. Palmer does one-on-one consultations with farmers. They held a garden tour of several gardens to give people ideas. They will hold an 8 week courses in the Spring for gardening workshops and gardening tours. They have a garden show with CentraCom each Saturday. They also have a farm safety course.

#### **DISCUSSION OF BUSINESS LICENSE ORDINANCE**

County Clerk Sandy Neill states that the current business ordinance is being reviewed. The County currently has no late fee for delinquent payments, and the fees have not been updated for many years. The clerk will review this and place it on a future agenda for approval.

**LAWRENCE JOHANSEN: REQUEST FOR PAYMENT SCHEDULE TO REMOVE S 16343 FROM THE MAY TAX SALE**

Lawrence Johansen is present. The house belonged to his mother and is now in probate. Taxes were paid in 2006. This is the 5<sup>th</sup> year of the probate, and it hasn't been settled. He states his siblings don't care if this goes to a tax sale. He asks if a private bid can be made on the property. Motion is made by Commissioner Cox to set up a payment schedule of \$200.00 per month beginning this month until the taxes are paid in full. The property will be removed from the tax sale as long as the payments are made each month until paid in full. The motion is seconded by Commissioner Jarrett, and the motion passes. This schedule will pay the taxes off in full before the 2012 taxes will become due. If payments are not made as scheduled, the property will go on the tax sale in 2012.

**BRYANT BLACKHAM: RIGHT OF WAY AGREEMENT TO GO UNDER COUNTY ROAD AT 17200 SOUTH NEAR MORONI FOR A POWER LINE**

Motion is made by Commissioner Cox to approve the right of way agreement to go under the County road at 17200 South near Moroni for a power line. The motion is seconded by Commissioner Jarrett, and the motion passes.

**BRAD BIRD: DISCUSSION OF ASSESSMENT OF UNOCCUPIED RESIDENCE ON S 60825**

Brad Bird is present. They placed a modular home on this property. The home didn't meet the snow load requirements, and has since deteriorated. He would like to remove the home, and remove the tax assessment for a dwelling. Keith Larson states that they visited the site. The taxes were paid for 3 years, and then were not paid after 2007. The house is in very bad shape. The assessors can give the home a salvage value for 2012 taxes, but can't go back in time for past taxes. The Commissioners are unable to give any relief on this property.

**JAY AND JANET BARLOW: DISCUSSION OF BACK TAXES OWED IN INDIAN RIDGE SUBDIVISION**

Janet and Jay Barlow appear by phone. The Commissioners state that precedence would be set if we defer their tax for several years. The Commission will not consider deferring the taxes, but will consider other methods of dealing with the taxes. Jay Barlow asks the Commission to give him one year to come up with the money. The Commission ask Mr. and Mrs. Barlow to work together to come up with a proposal and return to the next Commission meeting.

**SHERIFF NIELSON: APPROVAL TO EXPEND FUNDS FROM THE 2007 PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS GRANT**

Motion is made by Commissioner Cox to approve the expenditure of \$14,490.12 from the 2007 Public Safety Interoperable Communications Grant for computers, antenna, repeater stations and labor to install. The motion is seconded by Commissioner Jarrett, and the motion passes.

**APPROVAL OF AGREEMENT WITH BARRY BRADLEY FOR SERVICE AND MAINTENANCE OF THE SANPETE COUNTY COMMUNICATIONS SYSTEM**

Barry Bradley is present. Motion is made by Commissioner Cox to approve the agreement with Barry Bradley for service and maintenance of the Sanpete County Communications System. The motion is seconded by Commissioner Jarrett, and the motion passes.

**APPROVAL OF PAYMENT REQUEST FOR THE RURAL ROADS IN SANPETE COUNTY PROJECT**

Motion is made by Commissioner Cox to approve the payment request from Stanley Consultants for \$45,812.92 for the rural roads in Sanpete County project. The motion is seconded by Commissioner Jarrett, and the motion passes. The payment will be made by the Roads Special Service District.

**DISCUSSION OF FLOOD ORDINANCE**

Scott Olsen is present. This will go to P&Z for their review.

**RUSS COWLEY WITH THE AOG: APPROVAL OF CIB LIST**

Russ Cowley is present. The CIB list is reviewed and updated. This matter will be placed on the next agenda for approval.

**YORI LUDVIGSON: DISCUSS GUNNISON VALLEY DAIRY DAYS**

Yori Ludvigson is present. He is helping to put together a Dairy Days event in the Gunnison Valley for June 1<sup>st</sup> and June 2<sup>nd</sup>. There will be an antique tractor show, softball, concessions, pinatas, Miss Dairy, and lots of fun events.

**APPROVAL OF CONTRACT FOR INDIGENT INMATE DEFENSE COUNSEL SERVICES FOR JOSE RAMON WILLMOND**

Motion is made by Commissioner Cox to approve the contract for indigent inmate defense counsel services for Jose Ramon Willmond. The motion is seconded by Commissioner Jarrett, and the motion passes.

**APPROVAL OF MINUTES**

Motion is made by Commissioner Jarrett to approve the minutes from January 3, 2012 with no corrections. The motion is seconded by Commissioner Cox, and the motion passes.

Motion is made by Commissioner Cox to approve the minutes from January 17, 2012 with minor corrections. The motion is seconded by Commissioner Jarrett, and the motion passes.

Motion is made by Commissioner Cox to go into executive session to discuss pending or reasonably imminent litigation. The motion is seconded by Commissioner Jarrett, and the motion passes.

**EXECUTIVE SESSION**

Motion is made by Commissioner Cox to go out of executive session. The motion is seconded by Commissioner Jarrett, and the motion passes. No action was necessary due to this executive session.

Motion is made by Commissioner Cox to adjourn. The motion is seconded by Commissioner Jarrett, and the motion passes.

The meeting is adjourned at 4:16 P.M.

ATTEST: *Sandy Neill*  
Sandy Neill  
Sanpete County Clerk

APPROVED: *Claudia Jarrett*  
Claudia Jarrett  
Commission Chair